

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

UNITED STATES OF AMERICA,

CR 17-10005 and 17-10013

Plaintiff,

REDACTED FACTUAL

vs.

BASIS STATEMENT

CHAVEZ SPOTTED HORSE,

Defendant.

The Defendant states that the following facts are true, and the parties agree that they establish a factual basis for the offenses to which the Defendant is pleading guilty pursuant to Fed. R. Crim. P. 11(b)(3).

CR 17-10005

On or about the 27th day of November, 2016, at Little Eagle, in Corson County, in Indian country, in the District of South Dakota, Chavez Spotted Horse, an Indian, did unlawfully assault [Name Redacted] with a dangerous weapon, that is, a plastic kitchen spoon, with intent to do bodily harm to [Name Redacted], in violation of 18 U.S.C. §§ 1153 and 113(a)(3).

CR 17-10013

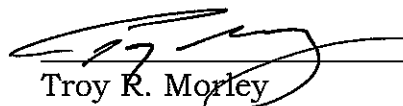
On or about between the 1st day of January, 2013, and the 3rd day of November, 2015, in the District of South Dakota, and elsewhere, Chavez Spotted Horse did knowingly receive any visual depiction using a means and facility of interstate and foreign commerce, to-wit, the internet, which depiction had been transported in interstate and foreign commerce by any means, including by

computer, and the visual depiction involved the use of a minor engaging in sexually explicit conduct and which depiction was of such conduct, in violation of 18 U.S.C. §§ 2252(a)(2), 2252(b)(1), and 2256(2)(A).

Chavez Spotted Horse is an enrolled member of the Standing Rock Sioux Tribe, a federally recognized tribe, enrollment number 302U14895, and is 4/4 degree Indian by blood. The location of the assault, Little Eagle, South Dakota, is within the exterior boundaries of the Standing Rock Sioux Indian Reservation.

RANDOLPH J. SEILER
United States Attorney


9/15/17
Date


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Date


Chavez Spotted Horse
Defendant

9-15-17
Date


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